

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

In Re:	§	
	§	
RAPHAEL, KELLEY ANDREE	§	Case No. 820-70162 AST
	§	
Debtor	§	

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**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY  
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

ALLAN B. MENDELSON, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: 227.00 (Without deducting any secured claims)	Assets Exempt: 678,264.95
Total Distributions to Claimants: 80,123.80	Claims Discharged Without Payment: 2,062,069.28
Total Expenses of Administration: 26,203.20	

3) Total gross receipts of \$ 106,327.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$ 106,327.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from <b>Exhibit 3</b> )	\$ 817,396.38	\$ 15,104.17	\$ 0.00	\$ 0.00
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from <b>Exhibit 4</b> )	NA	26,203.20	26,203.20	26,203.20
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from <b>Exhibit 5</b> )	NA	NA	NA	NA
PRIORITY UNSECURED CLAIMS (from <b>Exhibit 6</b> )	0.00	97,426.70	97,426.70	80,123.80
GENERAL UNSECURED CLAIMS (from <b>Exhibit 7</b> )	785,977.50	1,258,788.88	1,258,788.88	0.00
<b>TOTAL DISBURSEMENTS</b>	\$ 1,603,373.88	\$ 1,397,522.95	\$ 1,382,418.78	\$ 106,327.00

4) This case was originally filed under chapter 7 on 01/08/2020 . The case was pending for 13 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 01/30/2021 By: /s/ALLAN B. MENDELSON  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 – GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE <sup>1</sup>	\$ AMOUNT RECEIVED
Estimated refund for tax year ending Combined (fede	1124-000	7,291.00
Estimated refund for tax year ending Combined (fede	1124-000	8,000.00
118-40 223rd Street Cambria Heights NY 11411,	1149-000	80,000.00
TAX REFUND	1224-000	11,036.00
<b>TOTAL GROSS RECEIPTS</b>		<b>\$ 106,327.00</b>

<sup>1</sup>The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES**

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
NA		NA	NA
<b>TOTAL FUNDS PAID TO DEBTOR &amp; THIRD PARTIES</b>			<b>\$ 0.00</b>

**EXHIBIT 3 – SECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	Citizens Bank, N.A. 1 Citizens Drive, ROP30B Riverside, RI 02915		56,221.38	NA	NA	0.00
	LoanCare LLC P.O. Box 37628 Philadelphia, PA 19101-0628		374,957.00	NA	NA	0.00
	NYC Department of Finance 1 Centre Street, Fl. 22 New York, NY 10007		116,000.00	NA	NA	0.00
	Wells Fargo Bank, N.A. P.O. Box 11758 Newark, NJ 07101-4758		270,218.00	NA	NA	0.00
000001	ALLY BANK	4210-000	NA	15,104.17	0.00	0.00
<b>TOTAL SECURED CLAIMS</b>			<b>\$ 817,396.38</b>	<b>\$ 15,104.17</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>

**EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
TRUSTEE COMPENSATION:ALLAN B. MENDELSON	2100-000	NA	8,566.35	8,566.35	8,566.35
TRUSTEE EXPENSES:ALLAN B. MENDELSON	2200-000	NA	28.85	28.85	28.85
CLERK OF THE COURT	2700-000	NA	0.00	0.00	0.00

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
INTERNAL REVENUE SERVICE	2810-000	NA	7,447.00	7,447.00	7,447.00
NYS INCOME TAX	2820-000	NA	3,245.00	3,245.00	3,245.00
ATTORNEY FOR TRUSTEE FEES (OTHER FIRM):ROSEN & KANTROW, PLLC	3210-000	NA	6,415.00	6,415.00	6,415.00
ATTORNEY FOR TRUSTEE EXPENSES (OTHER FIRM):ROSEN & KANTROW, PLLC	3220-000	NA	101.00	101.00	101.00
ACCOUNTANT FOR TRUSTEE FEES (OTHER FIRM):GARY R. LAMPERT, CPA	3410-000	NA	400.00	400.00	400.00
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>		<b>\$ NA</b>	<b>\$ 26,203.20</b>	<b>\$ 26,203.20</b>	<b>\$ 26,203.20</b>

**EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NA: NA	NA	NA	NA	NA	NA
<b>TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES</b>		<b>\$ NA</b>	<b>\$ NA</b>	<b>\$ NA</b>	<b>\$ NA</b>

**EXHIBIT 6 – PRIORITY UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	NYC Department of Finance 1 Centre Street, 22nd FlNew York, NY 10007		0.00	NA	NA	0.00
000002A	NEW YORK STATE TAX	5800-000	NA	97,426.70	97,426.70	80,123.80
<b>TOTAL PRIORITY UNSECURED CLAIMS</b>			<b>\$ 0.00</b>	<b>\$ 97,426.70</b>	<b>\$ 97,426.70</b>	<b>\$ 80,123.80</b>

**EXHIBIT 7 – GENERAL UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	Ally Bank P.O. Box 380903 Minneapolis, MN 55438-0903		24,810.20	NA	NA	0.00
	Ally Bank P.O. Box 380903 Minneapolis, MN 55438-0903		24,810.20	NA	NA	0.00
	Ally Bank P.O. Box 380903 Minneapolis, MN 55438-0903		3,945.82	NA	NA	0.00
	Ally Bank P.O. Box 380903 Minneapolis, MN 55438-0903		9,720.75	NA	NA	0.00

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	Ally Financial P.O. Box 380903 Minneapolis, MN 55438-0903		9,720.75	NA	NA	0.00
	Ally Financial P.O. Box 380903 Minneapolis, MN 55438-0903		15,104.17	NA	NA	0.00
	American Express 43 Butterfield Circle El Paso, TX 79906		23,902.79	NA	NA	0.00
	Automotive Finance Corp. 13085 Hamilton Xing. Blvd Carmel, IN 46032		292,592.32	NA	NA	0.00
	Bank of America, N.A. P.O. Box 15019 Wilmington, DE 19886-5019		383.29	NA	NA	0.00
	Barclays P.O. Box 13337 Philadelphia, PA 19101-3337		362.33	NA	NA	0.00
	Capital One P.O. Box 71083 Charlotte, NC 28272-1083		16.00	NA	NA	0.00
	Citibank N.A. 241 Broadway Amityville, NY 11701		8,944.68	NA	NA	0.00

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	Discover Bank P.O. Box 8003 Hilliard, OH 43026		13,452.00	NA	NA	0.00
	Elan Financial Services 800 Nicollet Mall Minneapolis, MN 55402		17,004.03	NA	NA	0.00
	Fidelity 900 Salem Street Smithfield, RI 02917		9,080.81	NA	NA	0.00
	Fidelity 900 Salem Street Smithfield, RI 02917		11,935.91	NA	NA	0.00
	Fleetway Leasing Co. 336 West Street Rd. Feasterville-Tre, PA 19053		186,993.86	NA	NA	0.00
	GM Financial, Inc. 4001 Embarcadero Drive Arlington, PA 76014		56,882.88	NA	NA	0.00
	GM Financial, Inc. 4001 Embarcadero Drive Arlington, PA 76014		57,666.96	NA	NA	0.00
	JPMorgan Chase Bank, N.A. 700 Kansas Lane Monroe, LA 71203		1,293.70	NA	NA	0.00



CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	JPMorgan Chase Bank, N.A. 700 Kansas Lane Monroe, LA 71203		305.02	NA	NA	0.00
	JPMorgan Chase Bank, N.A. 700 Kansas Lane Monroe, LA 71203-4774		17,004.03	NA	NA	0.00
	Synchrony Bank Ste 125170 Election Road Draper, UT 84020		45.00	NA	NA	0.00
000006	AUTOMOTIVE FINANCE CORPORATION	7100-000	NA	368,046.33	368,046.33	0.00
000002B	NEW YORK STATE TAX	7100-000	NA	18,571.85	18,571.85	0.00
000005	NEXTGEAR CAPITAL, INC.	7100-000	NA	856,487.95	856,487.95	0.00
000004	U.S. BANK NA	7100-000	NA	15,339.51	15,339.51	0.00
000003	VERIZON	7100-000	NA	343.24	343.24	0.00
<b>TOTAL GENERAL UNSECURED CLAIMS</b>			<b>\$ 785,977.50</b>	<b>\$ 1,258,788.88</b>	<b>\$ 1,258,788.88</b>	<b>\$ 0.00</b>

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 1  
**Exhibit 8**

Case No: 820-70162 AST Judge: ALAN S. TRUST  
Case Name: RAPHAEL, KELLEY ANDREE

Trustee Name: ALLAN B. MENDELSON  
Date Filed (f) or Converted (c): 01/08/20 (f)  
341(a) Meeting Date: 02/11/20  
Claims Bar Date: 05/26/20

For Period Ending: 01/30/21

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 1517 Broadway, Unit 8HewlettNY 11557, Condominiu Debtor Claimed Exemption	412,729.00	0.00		0.00	FA
2. 118-40 223rd StreetCambria Heights NY 11411, The Debtor settled with the Trustee and redeemed this property from sale by Trustee in return for payment of \$80,000.00 free and clear of liens to the estate pursuant to the terms of a stipulation dated June 5, 2020 - with court approval pursuant to order dated July 15, 2020.	487,457.00	80,000.00		80,000.00	FA
3. 2008 Volvo S80 mileage: 180000 Debtor Claimed Exemption	3,000.00	0.00		0.00	FA
4. Bed and box spring, futon, 3 night stands, dressin Debtor Claimed Exemption	1,750.00	0.00		0.00	FA
5. Two televisions, an entertainment center, laser pr Debtor Claimed Exemption	650.00	650.00		0.00	FA
6. Paddle ball and paddles, Boflex equipment, exercis	150.00	150.00		0.00	FA
7. Office attire, outdoor jackets and coats, office s Debtor Claimed Exemption	600.00	0.00		0.00	FA
8. Four rings (engagement, marriage, crucifix and eve Debtor Claimed Exemption	625.00	0.00		0.00	FA
9. Blood pressure wrist monitor, blood glucose monito Debtor Claimed Exemption	265.00	0.00		0.00	FA
10. Cash	37.00	37.00		0.00	FA
11. JPMorgan Chase Bank, N.A.	40.00	40.00		0.00	FA
12. A Writer's Anointed Ink LLC	Unknown	0.00		0.00	FA
13. Fidelity Debtor Claimed Exemption	258,645.95	0.00		0.00	FA

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1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
14. Estimated refund for tax year endingCombined (fede	6,500.00	6,500.00		7,291.00	FA
15. Estimated refund for tax year endingCombined (fede	6,500.00	6,500.00		8,000.00	FA
16. Unlinquidated claim against Autosource I, Inc. and exemption claimed in any recovery under NY Debtor & Creditor Law Sec. 282(3)(i) and NY Exec Law Sec. 632	Unknown	0.00		0.00	FA
17. TAX REFUND (u) Federal and state tax refunds for 2019	0.00	0.00		11,036.00	FA

TOTALS (Excluding Unknown Values)	\$1,178,948.95	\$93,877.00		\$106,327.00	Gross Value of Remaining Assets \$0.00 (Total Dollar Amount in Column 6)
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Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Investigated for equity/liens in real property located in Cambria Heights, NY, Settlement reached with Debtor whereby she redeemed her interest in the real property and resolved any other claims by the estate against her in return for payment of \$80,000.00 to the estate - free and clear of any liens. The Settlement was approved by court order dated July 15, 2020.

Initial Projected Date of Final Report (TFR): 12/31/22      Current Projected Date of Final Report (TFR): 12/31/22

**FORM 2**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 1  
**Exhibit 9**

Case No: 820-70162 -AST  
Case Name: RAPHAEL, KELLEY ANDREE

Trustee Name: ALLAN B. MENDELSON  
Bank Name: Axos Bank  
Account Number / CD #: \*\*\*\*\*0540 Checking Account

Taxpayer ID No: 85-6276626  
For Period Ending: 01/30/21

Blanket Bond (per case limit): \$ 42,742,595.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
06/04/20	14, 15	Kelley A. Raphael Independent Beauty Consulant Nassau County, NY 11557	BALANCE FORWARD Tax Refund Turnover of non-exempt 2019 federal and state tax refunds.	1124-000	15,291.00		0.00 15,291.00
06/10/20	2	Rosen & Associates, P.C. Escrow Account Control 747 3rd Avenue, 20th Floor New York, NY 10017	LITIGATION SETTLEMENT PROCEEDS Deposit required to redeem this property from sale by Trustee in return for payment of \$80,000.00 to the estate pursuant to the terms of a stipulation dated June 5, 2020 - subject to court approval.	1149-000	40,000.00		55,291.00
06/17/20	17	Rosen & Associates, P.C. Escrow Account Control 747 3rd Avenue, 20th Floor New York, NY 10017	Tax Refund Federal and state tax refunds for 2019	1224-000	11,036.00		66,327.00
07/20/20	2	ROSEN & ASSOCIATES, P.C. Escrow Account Control 747 Third Avenue, 20th Floor New York, NY 10017	LITIGATION SETTLEMENT PROCEEDS Balance of funds required to redeem real property from sale by the Trustee (payment of \$80,000.00 free and clear of liens) pursuant to the terms of a stipulation dated June 5, 2020 - with court approval pursuant to order dated July 15, 2020.	1149-000	40,000.00		106,327.00
08/24/20	001001	UNITED STATES TREASURY C/O INTERNAL REVENUE SERVICE, CIO P.O. Box 7346 Philadelphia, PA 19101-7346	TAX PAYMENT EIN: 85-6276626 2019 FORM 1041	2810-000		7,447.00	98,880.00
08/24/20	001002	NEW YORK STATE INCOME TAX FIDUCIARY RETURN UNIT P.O. BOX 61000 ALBANY, NY 12261-0001	TAX PAYMENT TIN: 85-6276626 2019 FORM IT-205	2820-000		3,245.00	95,635.00
08/24/20	001003	GARY R. LAMPERT, CPA 100 MERRICK ROAD, SUITE 211-W ROCKVILLE CENTRE, NY 11570	ACCOUNTANT FEES pursuant to August 10, 2020 order of retention and August 19, 2020 invoice for preparation of estate tax	3410-000		400.00	95,235.00

Page Subtotals 106,327.00 11,092.00

**FORM 2**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 2  
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Case Name: RAPHAEL, KELLEY ANDREE

Trustee Name: ALLAN B. MENDELSON  
Bank Name: Axos Bank  
Account Number / CD #: \*\*\*\*\*0540 Checking Account

Taxpayer ID No: 85-6276626  
For Period Ending: 01/30/21

Blanket Bond (per case limit): \$ 42,742,595.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
12/15/20	001004	ROSEN & KANTROW, PLLC 38 New Street Huntington, NY 11743	returns ATTORNEY FEES pursuant to order dated December 15, 2020	3210-000		6,415.00	88,820.00
12/15/20	001005	ROSEN & KANTROW, PLLC 38 New Street Huntington, NY 11743	ATTORNEY EXPENSES pursuant to order dated December 15, 2020	3220-000		101.00	88,719.00
12/15/20	001006	ALLAN B. MENDELSON 38 NEW STREET HUNTINGTON, NY 11743	Chapter 7 Compensation/Fees	2100-000		8,566.35	80,152.65
12/15/20	001007	ALLAN B. MENDELSON 38 NEW STREET HUNTINGTON, NY 11743	Chapter 7 Expenses	2200-000		28.85	80,123.80
12/15/20	001008	New York State Department of Taxation & Finance Bankruptcy Section PO Box 5300 Albany NY 12205-0300	Claim 000002A, Payment 82.24%	5800-000		80,123.80	0.00

COLUMN TOTALS	106,327.00	106,327.00	0.00
Less: Bank Transfers/CD's	0.00	0.00	
Subtotal	106,327.00	106,327.00	
Less: Payments to Debtors		0.00	
Net	106,327.00	106,327.00	
TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Checking Account - *****0540	106,327.00	106,327.00	0.00
	106,327.00	106,327.00	0.00

Page Subtotals 0.00 95,235.00

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 3  
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Taxpayer ID No: 85-6276626  
For Period Ending: 01/30/21

Blanket Bond (per case limit): \$ 42,742,595.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$) (Excludes Account Transfers)	Disbursements (\$) (Excludes Payments To Debtors)	Account / CD Balance (\$) Total Funds On Hand

Page Subtotals 0.00 0.00